

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

98 JUL 24 PM 1:32

U.S. DISTRICT COURT
N.D. OF ALABAMA

NAPOLEON MASON, JR.,

Petitioner,

VS

WARDEN JAMES DeLOACH, et al,

Respondent(s).

CIVIL ACTION NO. 98-AR-1595-S

ENTERED

JUL 24 1998

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed pursuant to 28 U.S.C. § 2244(b)(3)(A). An appropriate order will be entered.

DONE, this 24^R day of July, 1998.

Wm. M. Avery

WILLIAM M. ACKER, JR.,
UNITED STATES DISTRICT JUDGE